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August 25, 2005

**BY E-FILE**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
For the District of Delaware  
844 North King Street  
Wilmington, Delaware 19801

Re: Frank D. Seinfeld v. Craig R. Barrett, et al.,  
D. Del., C.A. 05-298-JJF

Dear Judge Farnan:

As Your Honor may recall, defendants have requested oral argument (D.I. 73) on plaintiff's motion for summary judgment (D.I. 5) and on their two motions to dismiss: for failure to comply with Fed.R.Civ.P. 23.1 and for lack of subject matter jurisdiction (D.I. 15 and D.I. 19). Plaintiff does not oppose defendants' request for oral argument on all three motions (D.I. 74). Defendants believe that oral argument is important given the unusual procedural posture of this case and the issues presented by defendants' motions. Plaintiff's motion for summary judgment was brought only weeks after his complaint was filed and was made without the benefit of any discovery. Defendants' motions to dismiss raise issues about whether the complaint is ripe and whether it complies with the important demand requirement imposed by both Federal and Delaware law. Defendants are available to appear for oral argument on October 4, 12, 19, 20 and 26. If Your Honor's assistant would provide me with potential dates for the oral argument, I would be happy to coordinate scheduling with the parties and the Court.

I am available at Your Honor's convenience.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen C. Norman".

Stephen C. Norman (#2686)  
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cc: Clerk of the Court (By E-File)  
Francis G. X. Pileggi, Esquire (By E-File)